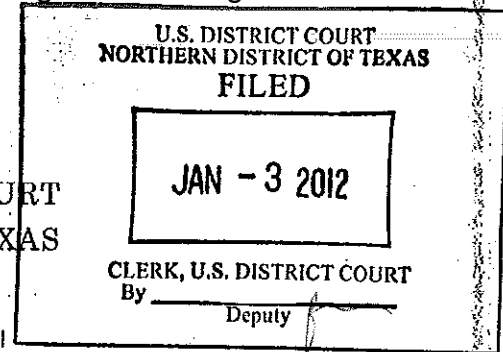


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



DAVID LYNN CARPENTER,
Petitioner,

v.

RICK THALER,
Director, Texas Department of
Criminal Justice, Correctional
Institutions Division,
Respondent.

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CIVIL ACTION NO. 3:02-CV-1145-B
ECF

****CAPITAL CASE****

****Referred to Mag. Judge Toliver****

SCHEDULING ORDER

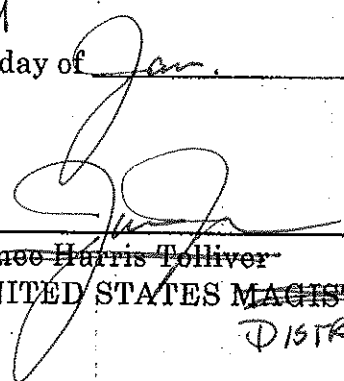
The District Court having lifted the stay it previously entered in the above-captioned cause on October 25, 2010, and having referred these federal habeas proceedings to the undersigned, the Court now enters the following scheduling order:

1. Petitioner David Lynn Carpenter shall have sixty (60) days from this Scheduling Order's entry to file his second amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Should Petitioner also wish to re-urge his previously-filed motion for an evidentiary hearing, ECF No. 106, that the Court denied without prejudice on December 5, 2011, ECF No. 113, he shall do so within the same sixty-day period specified in the first sentence of this paragraph.

2. Respondent Rick Thaler (the Director) shall have sixty (60) days from the date on which Petitioner files his second amended petition for a writ of habeas corpus to file an answer. Should Petitioner also file a motion for an evidentiary hearing, Respondent may file a response in opposition to that motion at the same time he files his answer to Petitioner's second amended petition.
3. Petitioner shall have thirty (30) days from the date that Respondent files his answer to Petitioner's second amended petition to file a reply. If applicable, Petitioner shall file any reply to Respondent's response in opposition to Petitioner's motion for an evidentiary hearing within the same thirty-day period referenced in the first sentence of this paragraph.
4. The Court will consider reasonable requests to extend the deadlines set forth in the previous paragraphs.

So ORDERED.

SIGNED on this the 3rd day of Jan., 2012.



Renee Harris Tolliver
UNITED STATES MAGISTRATE JUDGE
DISTRICT